GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - MA&UD Department - Gudivada Municipality - Allegations of failure in discharging legitimate duties with due care and diligence to prevent encroachments in the Gudivada Municipality - Disciplinary proceedings initiated against Sri N. Pramod Kumar, the then Municipal Commissioner, Gudivada Municipality - Inquiry conducted- Imposing a penalty of "withholding of one Annual Grade Increment with cumulative effect" – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.516 **Dated:18.07.2024.**

Read the following:

1. From the GA (V&E) Department, Appraisal Report No:32 (C.No.2018/D1/V&E/ 2012) Dt 10.04.2017.
2. G.O.Rt.No.515, MA&UD (VIG.II) Dept., dt: 20.09.2021.
3. Served copy dated: 03.08.2022 on Sri N.Pramod Kumar, the then Municipal Commissioner, Gudivada Municipality.
4. G.O.Rt.No. 640, MA&UD (VIG.II) Dept., dt: 29.08.2022.
5. From Sri S. Chakrapani, Join Director of Town Planning, RERA. Vijayawada &Inquiry Officer., Inquiry report dated.11.08.2023.
6. Govt.Memo.No.1424088/Vig.II/2021-2, dated.08.11.2023.
7. Written representation of Sri N.Pramod Kumar, the then Municipal Commissioner, Gudivada Municipality, dated.Nil (received on 13.12.2023)
8. GO.Ms.No.124, GA(SER-A) Dept, dt.04.12.2023.

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ORDER:

Based on the report of G.A. (V&E) Department., vide reference 1st read above, on the failure in discharging legitimate duties with due care and diligence to prevent encroachments in the Gudivada Municipality, Government decided to initiate disciplinary action against Sri N. Pramod Kumar, the then Municipal Commissioner and others of Gudivada Municipality.

2. Accordingly, article of charges have been issued against Sri N.Pramod Kumar, the then Municipal Commissioner, Gudivada Municipality, vide reference 2nd read above. The charged officer has not submitted his written statement of defence. But the served copy was received, vide reference 3rd read above.

3. After examination of the matter, it has been decided to conduct a regular inquiry and accordingly, after following due procedure, in the reference 4th read above, Sri S. Chakrapani, Joint Director of Town Planning, RERA, Vijayawada, was appointed as an Inquiry Officer to inquire into the charges framed against Sri N.Pramod Kumar, the then Municipal Commissioner and others of Gudivada Municipality.

4. In the reference 5th read above, the Inquiry Officer has submitted his inquiry report and stated that all (4) charges framed against the charged officer are held not proved in the Inquiry.

(P.T.O)

5. After careful examination of the of the report of the Presenting Officer and findings of the Inquiry Authority in the Inquiry Report, the Government have decided that the remarks of Presenting Officer in respect of Sri N. Pramod Kumar, the then Municipal Commissioner holds good, since the charged officer being the head of the office he should have further pursued and reviewed on the UCs in which notices were issued and no further action for removal of the deviations was taken and also the reason of regularization under BPS will not absolve his responsibility of taking action prior to the regularization. Therefore, the findings of Inquiring Authority (I.A.) i.e., charges are held not proved against the Charged officer was not convincing and not acceptable. Accordingly, the findings of Inquiry Authority in respect of the said Charged Officer were disagreed.

6. In the reference 6th read above, a copy of Inquiry report along with disagreement factors was communicated to the charged officer Sri N. Pramod Kumar, the then Municipal Commissioner, Gudiwada Municipality with a direction to submit his written representation, if any, on the findings of the Inquiry Officer along with disagreement factors, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991.

7. The charged officer submitted his written representation vide reference 7th read above. He has denied the disagreement factors communicated to him and requested the Government to consider for accepting the findings of the Inquiry Officer and to drop the charges against him.

8. Government have examined the written representation of the charged officer, keeping in view of the findings of Inquiry Authority, report of Presenting Officer and observed that the CO., released the mortgage intentionally even though the works were not completed and facilitated the builder to construct the apartment complex with violations and paved the way to regularize the said building in the BPS., However, the regularization under BPS will not absolve his responsibility of taking action prior to the regularization.

9. Government after careful examination of the entire matter, have decided to impose a penalty of ""withholding of one Annual Grade Increment with cumulative effect" against Sri N. Pramod Kumar, the then Municipal Commissioner, Gudiwada Municipality for not taking any action prior to regularizing of the said one building under BPS.

10. Accordingly, Government hereby impose a penalty of "withholding of one Annual Grade Increment with cumulative effect" against Sri N. Pramod Kumar, the then Municipal Commissioner, Gudivada Municipality, in terms of Rule 9 of the APCS (CC&A) Rules, 1991, as he failed to take any action prior to regularizing of said building in B.A.No.236/G2/2010 under BPS.

11. The Commissioner & Director of Municipal Administration, A.P, Mangalagiri shall take necessary action in the matter, accordingly.

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12. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL KUMAR SINGHAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N. Pramod Kumar, the then Municipal Commissioner,
Gudiwada Municipality - **through** the C&DMA., A.P., Mangalagiri.
The Commissioner & Director of Municipal Administration, A.P., Mangalagiri.
Copy to:
The Secretary to APVC, 5th building, AP Secretariat, Velagapudi.
The Accountant General, A.P., Vijayawada.
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.